

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CHARLES RAYMOND EARLS, III,	:
Plaintiff	:
v.	: Case No. 3:23-cv-303-KAP
JOHN COLLINS, <i>et al.</i> ,	:
Defendants	:

Memorandum Order

With two exceptions “federal courts treat *pro se* litigants the same as any other litigant.” Mala v. Crown Bay Marina, Inc., 704 F.3d 239, 244 (3d Cir. 2013). Those exceptions are liberal construction of pleadings – which does not relieve *pro se* plaintiffs from alleging sufficient facts in their complaints – *id.*, 704 F.3d at 245, and giving notice to *pro se* inmate litigants when a motion to dismiss will be treated as a summary judgment motion. *Id.* Defendants have filed at ECF no. 38 a motion to dismiss with sufficient evidentiary material attached that it should be treated as a motion for summary judgment. I am giving the parties notice that I intend to treat the motion to dismiss as such. Plaintiff’s response thereto is due on or before August 17, 2025.

DATE: July 17, 2025



Keith A. Pesto,
United States Magistrate Judge

Notice by ECF to counsel of record and by U.S. Mail to:

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